



GOVERNMENT OF KERALA
Labour and Rehabilitation (B) Department
NOTIFICATION

G. O. (R.) No. 3771/2007/L.R.

Dated, Thiruvananthapuram, 19th October 2007

S. R. O. No. 3774/2007.—In exercise of the powers conferred by section 17 of the Employees State Insurance Act, 1938 (Central Act 34 of 1938) read with Section 31-A thereof, the Government of Kerala is constituted with the Employees' State Insurance Corporation hereby directs that the Meenad Coal Vyaparaya Kalakshetra Sangham Limited No. D. 202, P. G. Jangal, Krishnagiri District shall be exempted from the operation of the said Act for a period of one year from 1st September 2004 to 31st August, 2005 subject to the following conditions, namely:—

(1) The society shall maintain a register showing the names and designations of its employees;

(2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;

(3) The contribution for the exempted period if already paid, shall not be refunded;

(4) The society shall submit to report of the period during which it was subject to the operation of the said Act (hereinafter referred to as the said period), such return in such form and containing such particulars as may be directed in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(5) Any inspection/inspection by the Corporation under subsection (1) of section 45 of the said Act, or other official of the Corporation authorized in this behalf shall be for the purpose of:—

(i) verifying the particulars contained in any return submitted under subsection (1) of section 41 of the said Act, or

(ii) ascertaining whether reports and returns were maintained as required by the Employees' State Insurance (General) Regulations, 1950, for the said period; or

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(ii) ascertaining whether the employee avails or he entitled to the benefits provided by the employer in cash and kind being benefits in consideration of which cashflow is being granted under this notification; or

(iii) ascertaining whether any of the provisions of the said Act had been complied with, if out of the aforesaid when such provisions were in force in relation to the said establishment be expressed to—

(i) require the establishment to furnish to him such information as he may consider necessary; or

(ii) enter any factory, establishment, office or other premises occupied by the said establishment at any reasonable time and require any person found in charge thereof to produce to such Inspector as other official and allow him to examine such documents, books and other documents, relating to the employment in persons and payment of wages or in respect of the such information as he may consider necessary; or

(iii) withdraw the officers of the establishment serving of the said establishment or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or

(iv) make copies of or take extracts from any register, account books or other documents maintained by such factory, or for an officer of the said establishment.

By order of the Governor,

C. M. Ramanan,
Additional Secretary to Governor

Explanatory Note

(This note is not part of the notification, but is intended to indicate the general purpose.)

The Managing Partner, Sudha Enterprises, Sudha Bldg, Deyat, Sudha Road, Kanchipuram-70 006 has requested the Governor to exempt the said establishment from the provisions of the Employees State Insurance Act, 1948 for the period from 1st June, 2006 to 31st May, 2007.

In consultation with the Regional Director, Madras State Insurance Corporation, Thiruvan, Government have decided to exempt the said establishment from the provisions of said Act for a period of one year from 1st June, 2006 to 31st May, 2007.

This notification is intended to achieve the above purpose.